

## **MINUTES**

### **UTAH PROFESSIONAL COUNSELOR BOARD MEETING**

**December 3, 2007**

**Room 475 – 4<sup>th</sup> Floor – 9:00 A.M.  
Heber Wells Building  
Salt Lake City, UT 84111**

**CONVENED:** 9:00 A.M.

**ADJOURNED:** 11:14 A.M.

**Bureau Manager:**  
**Board Secretary:**

Noel Taxin  
Karen McCall

**Board Members Present:**

Dean Workman, Chairperson  
Gloria Miley  
Linda S. Protzman  
Rodger Bischoff  
Russell C. Gaede

**Guests:**

Robert Snarr, President Utah Mental Health  
Counselors Association

**DOPL Staff Present:**

David Stanley, Division Director

#### **TOPICS FOR DISCUSSION**

#### **DECISIONS AND RECOMMENDATIONS**

#### **ADMINISTRATIVE BUSINESS:**

#### **MINUTES:**

The minutes from the November 6, 2007 Board meeting will be read and approved at the January 15, 2007 Board meeting.

#### **APPOINTMENTS:**

#### **9:00 A.M.**

Review Proposed Law Changes

Ms. Taxin explained that she sent Mr. Snarr a copy of the proposed Rules to review and requested Ray Walker, Division Regulation and Compliance Officer, to review them. Ms. Taxin stated that Mr. Walker commented on 2 areas that we not clear. She stated that one area was 58-60-405(2)(b) under Intern qualifications.

**Following discussion the Board made a recommendation to clarify the language and requested similar language for qualifications for the Extern also be included under a number 3.**

**Mr. Workman suggested under 58-60-405(1)(d)(i) that 90 quarter hours also be included.**

**The Board concurred.**

Ms. Taxin commented that the name of the degree is an issue as the Division reviews all types of degree coursework to determine if the courses fit into the Professional Counselor requirements. She asked the Board if they want vocational rehabilitation degrees, psychology degrees, MFT degrees to be reviewed for licensing. She stated that if a person took an ethics class in counseling the MFT Board would not accept it for the MFT ethics. She stated that she reviewed an application where all the courses were in MFT and the degree was not specifically stated. Ms. Taxin stated that the application was denied but all the courses were mental health counseling courses. Ms. Taxin explained that the Art Therapy and Psychology degrees are the most common. She stated that advanced assessments could be more psychology based and not professional counselor based. Ms. Taxin recommended the Board consider holding to professional counseling courses and if an application is received with education in another area then her staff can educate people that the courses must be in professional counseling.

**Mr. Workman responded that the Law does say courses in professional counseling as defined by Rule and the Rules are specific.**

Ms. Taxin stated that the Law is stronger than the Rules as the Rules are to further clarify the Law. She asked if some people are not issued licenses due to the degree not saying professional counselor.

**Dr. Gaede responded that the true degree name would be mental health counseling.**

**Mr. Workman stated that the University of Utah**

**has a Masters degree in mental health psychology and the University of Phoenix has a Masters degree in mental health counseling.**

Ms. Taxin asked if a degree in Psychology is acceptable for the Professional Counselor licensing.

**Dr. Gaede responded that if the program is CACREP accredited it should be accepted.**

Ms. Taxin again asked if the education should be kept in mental health counseling.

**Ms. Protzman asked if the name should be professional counseling or mental health counseling.**

Ms. Taxin responded that listing both degree names would open the field up for those who do not meet requirements for their own profession to try to meet professional counselor requirements.

**Dr. Gaede asked if the Division currently approves supervisors.**

Ms. Taxin responded that the Division does not currently approve supervisors.

**Dr. Gaede asked if the Board would want to tighten the supervision and say supervision under a professional counselor only.**

Ms. Taxin responded that MFT requirements are supervision under an MFT only and they have difficulties finding an MFT supervisor. She suggested taking out the “approved by the Division in collaboration with the Board”.

**The Board concurred.**

**Mr. Workman suggested including the language that the Certified Professional Counselor Intern (CPCI) must be employed by the agency where the supervision takes place.**

**Board members concurred.**

Ms. Taxin recommended Mr. Snarr work with the language regarding the CPCI employment.

Ms. Taxin stated that she included language regarding if an extension is granted the CPCI will be required to renew the license and meet the CE requirements as defined by Rule.

**Board members concurred.**

**Ms. Protzman stated that the Extern license should only be extended for an addition 1 year period.**

**Mr. Workman stated that the Extern would have 1 year to complete any deficient education requirements but the license could be extended for an additional 1 year period only.**

Ms. Taxin stated that the Extern license is currently issued for a 3 year period. She stated that 3 years is almost long enough to get a degree and the Law allows people to work in mental health therapy while they complete education requirements.

Mr. Snarr thanked the Board for their input and suggested he make the recommended changes and then send the draft out again for the Board to review.

Ms. Taxin stated that she would review them and give the revised draft to Mr. Walker to review again.

**Mr. Workman commented that he did not remember being required to obtain a notarized signature when he applied to take the examinations.**

Ms. Taxin responded that Mr. Snarr should check with the registration agency and if the notarized signature is no longer required then she will revise the registration form.

Ms. Taxin asked Mr. Snarr about the Substance Abuse Counselors Association contacting him regarding including their few revisions in their section of the Mental Health Practice Act when they open it for the

Professional Counselors revisions.

Mr. Snarr responded that the Professional Counselor Association Board does not want to include the revisions in the Substance Abuse Counselors section. He stated that he talked with Pat Jones, the sponsor, regarding not opening the LSAC portion of the Mental Health Practice Act.

Ms. Taxin stated that since they are opening up the Act she is requesting them to consider addressing the Substance Abuse Counselors revisions as there only 3 words that need changing. She stated that it would be an addition to their Bill which would not require much effort but would help the Mental Health Professional Practice Act to read clearer.

Mr. Snarr responded that the Association represents the Professional Counselors and the Substance Abuse Counselors should address changes in their section of the Act themselves. He stated that the Association is meeting on Saturday and he will present the issue at that time. He stated the LSAC Association requested he not address the change.

Ms. Taxin recommended the Professional Counselors Association prepare their revisions and then do an add-on. Ms. Taxin stated that she talked with Brent Kelsey regarding an add-on for the Substance Abuse Counselors and he stated that when he meets with the Legislature he could stated that there is no issue with the add-on change for Substance Abuse Counselors.

**The Board thanked Mr. Snarr for the work he has put into the revision of the Law.**

**Mr. Workman asked if the Board has to wait for the Law to be changed before writing the Rules.**

Ms. Taxin responded that the Board would have to wait to be sure the Law will pass, however, if it appears the Law will pass, the Board could start writing the Rules in order to be ready when the Law does pass.

## **APPLICATIONS:**

Kelly Jo Miller, Review Education to  
Determine Specific Deficiencies

Ms. Taxin explained that the Board reviewed Ms. Miller's application for Certified Professional Counselor Intern licensing in April 2007 and denied the application based on Ms. Miller's education being deficient in many areas. She stated that the denial letter was not specific in the courses Ms. Miller would need to complete. Ms. Taxin stated that Ms. Miller's education is a Masters degree in Psychology with 3 courses in Marriage and Family Therapy completed after the Masters degree. Ms. Taxin stated that Ms. Miller is requesting another review of her education and a list of the specific courses she needs to complete.

**The Board noted that Ms. Miller's education is from Pacific Graduate School of Psychology which was on the quarter system and the 3 MFT courses were taken at Regis University which was on the semester system. The Board also noted that Ms. Miller's education was a 39 quarter hour program and Utah requires either a 60 semester hour program in the specified courses or a 90 quarter hour program in the specified courses.**

**The Board reviewed Ms. Miller's education and determined the education is deficient in the following areas:**

- 1. Deficient 2 semester hours or 3 quarter hours in the area of Professional Roles and Functions, Trends and History, Professional Preparation Standards and Credentialing.**
- 2. Deficient 2 semester hours or 3 quarter hours in the area of Individual Theory.**
- 3. Deficient 2 semester hours or 3 quarter hours in the area of Group Theory.**
- 4. Deficient 3 semester hours or 4.5 quarter hours in the area of Cultural Foundations.**
- 5. Deficient 6.5 quarter hours in the area of Therapeutic Methods and Interventions.**
- 6. Deficient 2 semester hours or 3 quarter hours in the area of Dysfunctional Behaviors.**
- 7. Deficient 2 semester hours or 3 quarter hours in the area of a Foundation Course in Test and Measurement Theory.**

- 8. Deficient 1 quarter hour in the area of Advanced Courses in Assessment of Mental Status.**
- 9. Deficient 3 semester hours or 4.5 quarter hours in the area of the Practicum in supervised counseling experience.**
- 10. Deficient 6 semester hours or 9 quarter hours in the area of the Internship. The Internship must include 900 clock hours of supervised counseling experience of which 360 hours must be in the provision of mental health therapy.**

**The Board determined Ms. Miller has completed the remaining required courses. The Board stated that Ms. Miller has a smattering of Psychology and MFT courses but not enough in either to meet Utah's Certified Professional Counselor Intern education requirements.**

#### **DISCUSSION ITEMS:**

FYI

Mr. Stanley announced that Ms. Taxin has been requested to be the Bureau Manager for another group of professions as another Bureau Manager has notified the Division that she will be leaving. He stated that he needs Ms. Taxin's organizational skills for the other group of professions.

Ms. Taxin commented that she will help the new Bureau Manager to understand the issues of this profession.

**The Board asked what professions Ms. Taxin will be working with.**

Ms. Taxin responded that she will have the Physicians and Pharmacy professions. She stated that it will be a difficult challenge for her. Ms. Taxin stated that Board members may still stop by her office if they have questions as she will still be with the Division. Ms. Taxin informed the Board that she will be taking Ms. McCall with her but the new staff will be trained on their profession.

FYI

Ms. Taxin updated the Board regarding Christy Kane.

She explained that she believes the insurance panels have dropped Ms. Kane and that she is not currently working. She stated that the Board had informed Ms. Kane that she needs to be an employee of a mental health agency in order to work with the agency Ms. Kane proposed at the last Board meeting. Ms. Taxin stated that Ms. Kane is questioning whether she wants to work in the field of counseling.

FYI

Ms. Taxin reported that Deborah Clarence requested Agency Review and included additional information. She stated that she and the AG determined the additional information still did not meet licensing requirements and upheld the denial of the Professional Counselor license.

Ms. Taxin stated that most Professional Counselor denials have requested Agency Review. She stated that when Agency Review is requested the application is sometimes remanded back to her to reconsider the denial. She stated that there are times when additional information is submitted which documents meeting requirements and the license is then issued. Ms. Taxin stated that with Ms. Clarence there is enough legal justification to stand with the denial decision.

Jason King remarks regarding Possible Change to the CPCI Title

Ms. Taxin explained that after the last meeting Grey Otis must have called Jason King regarding the discussion on changing the title of Intern to Resident as she had an e-mail from Mr. King when she returned to her desk.

Ms. Taxin read the e-mail to the Board. She responded to his comments and stated that a Resident is in a different position than an Intern and she believes the Psychology and Medical fields would resist changing the term Intern to Resident.

Mr. Snarr responded that he brought up the subject with the Association Board and the Board voted unanimously not to change the names in the proposed Law. He stated that there is no national consensus regarding the names used for the different levels of licensure.

Ms. Taxin recommended Utah not set a precedence



and leave the names as they are currently.

**Mr. Workman commented that the Rules do not describe specifically what an internship is. He stated that the Board may want to change the Rules for a better definition and maybe call it a post-graduate internship.**

Ms. Taxin responded that the Universities should call the education internship a practicum and then there would not be a conflict.

FYI

Ms. Taxin reviewed the Utah Law and Rule Examination statistics with the Board. She stated that for October 2, 2007 there were 6 people who took the examination and only 2 passed. She stated that the Law and Rule examination will continue to be a requirement for now but the Board may want to have another discussion later.

Ms. Taxin informed the Board that the testing agency contract has been changed from Thomson Prometric to PSI. She stated that the Division is trying to get away from requiring Utah Laws and Rules examinations. Ms. Taxin stated that Professional Counselors and Psychologist are the only professions she has who still have a Utah Laws and Rules examination taken through a testing agency. She stated that there are a few who have included the examination as part of the application. Ms. Taxin stated that there are several professions that have difficulty registering and locating all the information to study for the exams. She stated that she does not want to issue temporary licenses due to individuals having difficulty getting into an examination. Ms. Taxin stated that the questions are not simple and do require the applicant to look up the answers.

**Ms. Protzman requested Ms. Taxin to give the Board an example of how the examination could be included in the application.**

Ms. Taxin responded that Board members would write some questions and she would then include them in the application. She stated that the examination would be about 10 to 12 questions that may be true/false

and/or multiple choice from a list of 3 or 4 possible answers. Ms. Taxin stated that the questions could be on confidentiality, supervision of a CPC Intern, etc.

**Ms. Protzman requested a copy of the current examination to review.**

Ms. Taxin responded that Thomson Prometric has ownership for the examination and will not release it to her or the Board. She stated that Thomson Prometric's contract is through the end of December 2007 and they should continue to register applicants until that date but are telling applicants that they no longer administer the examination and to contact DOPL. Ms. Taxin asked if the issue comes up before the next Board meeting would the Board recommend the examination be waived until the new vendor is prepared to administer the examination.

**Dr. Gaede asked where the testing agency locations will be in Utah.**

Ms. Taxin responded that she does not yet know the locations in Utah but they should be located similar to what Thomson Prometric had only more reliable. Ms. Taxin stated that Mr. Stanley no longer wants Utah Laws and Rules examinations to be required. She stated that he advised her that if there are problems with registering and taking the Utah Laws and Rules examination then it should be discontinued.

**Mr. Workman asked if the Division would know by January 2008 if PSI has an examination available.**

Ms. Taxin responded that he is correct.

2008 Board Meeting Schedule

**The Board noted the following dates for the 2008 schedule: January 15, March 11, May 13, July 1, September 9 and November 4, 2008.**

**NEXT MEETING SCHEDULED FOR:**

January 15, 2008

**ADJOURN:**

The time is 11:14 am and the Board meeting is adjourned.

*Note: These minutes are not intended to be a verbatim transcript but are intended to record the significant features of the business conducted in this meeting. Discussed items are not necessarily shown in the chronological order they occurred.*

January 15, 2008  
Date Approved

(ss) Dean Workman  
Chairperson, Utah Professional Counselors Licensing  
Board

January 2, 2008  
Date Approved

(ss) Noel Taxin  
Bureau Manager, Division of Occupational &  
Professional Licensing